

ANNEX H

March 21, 2023 Letter from Trailblazers' Counsel

March 21, 2023

VIA E-MAIL ONLY

Stephanie L. Gumm
Attorney
D: 919.783.2819
F: 919.783.1075
sgumm@poynerspruill.com

Scott J. Richman
Nelson Mullins
100 S. Charles Street, Ste 1600
Baltimore, MD 21201
scott.richman@nelsonmullins.com

RE: Trailblazer Studios' request to record the *Valadez v. Johnson & Johnson, et al.* trial

Dear Scott:

We represent Trailblazer Studios and are in receipt of your requests for clarification of Trailblazer's request to record the trial in *Valadez v. Johnson & Johnson, et al.* Please find Trailblazer's responses below:

- **Your letter indicates that your “crew will be small and, thus, will not interrupt the proceedings in any way.” Can you please specify:**
 - **The number of crewmembers.** We will have one camera operator and one producer.
 - **The equipment they would be utilizing in the courtroom.** The two crewmembers will bring one camera, one camera tripod and camera batteries. Until we have had a chance to see the courtroom and speak with the appropriate tech/media personnel at the courthouse, we will not be able to determine precisely what gear will be needed for audio. We will work with the judge and counsel in advance to make sure we are following protocols and everyone is in agreement with the audio setup.

March 21, 2023
S. Richman
Page 2

Poyner Spruill LLP

- **What if any equipment will be transported in or out of the courtroom on a daily basis.** We will transport the camera and tripod in and out of the courtroom along with any audio equipment.
- **What if any time requirements will be needed to set up or activate equipment.** We will follow Judge Seabolt and the court's media protocol for setup and activation.
- **What if any power sources will be needed.** No power sources will be needed.
- **What if any sounds or lights emit from the equipment.** No sounds or lights emit from the camera.
- **How much space is anticipated to be needed.** We need enough space for the camera on a tripod and for two people to stand behind the camera.
- **In light of your statement that your company is “filming a documentary focused on the ongoing talc bankruptcy saga,” how much trial footage from this case, in terms of volume and substance, do you anticipate utilizing in the documentary?** At this time, it is impossible to know how much trial footage will be used in the documentary.
- **Do you anticipate getting waivers from anyone being audibly and/or visually recorded? If so, when and how do you envision that would occur?** We will not require waivers from anyone recorded in the courtroom.
- **What if any protections do you have to avoid recording jurors?** Our crewmembers will be carefully instructed that jurors are not to be recorded at any time, for any purpose.
- **Will your equipment have the ability to pick up any sound from counsel table? What about conversations at the judge’s bench between the judge and counsel?** No. Regarding audio, we will follow the protocols set by Judge Seabolt and the court media personnel.
- **What is your protocol if any for permanently deleting footage if something is recorded such as confidential documents, inadvertently displayed information, or evidence struck from the record?** We will follow all instructions, standard practices, and protocol set by Judge Seabolt and the court media personnel.
- **What if any editing do you anticipate being performed on the trial footage?** At this time, it is impossible to know how the trial footage will be used in the documentary.
- **When do you anticipate the documentary being released?** We do not yet have a release date for the documentary.

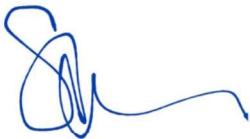
March 21, 2023
S. Richman
Page 3

Poyner Spruill LLP

- **Do you anticipate interviewing anyone involved with the trial? If so, who and when?** We would like to interview individuals involved with the trial, but at this time it is unclear who or when.
- **Where (in terms of media outlet(s) and location) do you anticipate the documentary being released?** We do not yet have media outlets and locations identified for the release of the documentary.
- **Do you intend to broadcast or otherwise publish anything about the trial while the trial is ongoing?** If so please specify when, where and in format(s)/media outlet(s). No, we do not plan to broadcast or otherwise publish anything about the trial while it is ongoing.
- **Do you intend to make any trial footage available to any person or entity outside of Trailblazer Studios while the trial is ongoing?** If so, please specify when, where and what person(s)/entities. The only persons outside of Trailblazer Studios personnel who will have access to the footage during the trial will be the producer and camera operator in the courthouse.
- **Is the documentary being produced for profit in any manner?** Like most media companies, Trailblazer is a for-profit entity, and it is fair to say that this documentary is part of a larger effort to show a profit beyond Trailblazer's operating expenses. It is unknown at this time whether the documentary will generate a profit.

If you have any questions, please do not hesitate to contact me at 919-783-2819. Thank you for your assistance in this matter.

Very truly yours,



Stephanie L. Gumm
Attorney

cc Ashleigh DiTonto
ashleigh@trailblazerstudios.com